

175209



ROBINSON MCFADDEN  
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.

COLUMBIA | GREENVILLE

August 16, 2005

**VIA HAND DELIVERY**

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Synergy Business Park, Saluda Building  
101 Executive Center Drive  
Columbia, SC 29210

**Toni C. Hawkins, Paralegal**

1901 MAIN STREET, SUITE 1200

POST OFFICE BOX 944

COLUMBIA, SOUTH CAROLINA 29202

PH  
(803) 779-8900

FAX  
(803) 252-0724

**Re: Acceris Management and Acquisition, LLC  
Docket No. 2005-189-C  
Our File No. 30053-0001**

Dear Mr. Terreni:

Enclosed for filing please find the original and one copy of the Affidavits of Publication from the following newspapers:

1. Greenville; *The Greenville News*;
2. Columbia, *The State*; and
3. Charleston, *The Post and Courier*.

Please have someone in your office date-stamp and return the extra copies to our courier as proof of filing. If you have any questions, please contact me.

Sincerely,

ROBINSON, MCFADDEN & MOORE, P.C.

Toni C. Hawkins  
Paralegal to Bonnie D. Shealy

/tch

Enclosures

cc: Ms. Laura Carlson  
Patrick D. Crocker, Esquire (via email)  
Ms. Paula Schneider (via email)

# A F F I D A V I T OF PUBLICATION

Susan Muller

Flannery M. Sullivan

2005 100 10 11.11.57  
90 100 10 11.11.57

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered at this part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing. Persons seeking information about the Commission's Procedures should contact the Commission by dialing (803) 251-5100.

**Public Service Commission**  
of South Carolina  
Attn: Docking Department  
Case Office Drawer 1169  
Columbia, South Carolina 29211  
Tel. 251-5100

305 South Main Street ■ Greenville, South Carolina 29601  
PO Box 1688 ■ Greenville, South Carolina 29602  
864.298.4229 1.800.800.5116 [smullina@greenvillenews.com](mailto:smullina@greenvillenews.com)

ROBINSON, MCFADDEN & MOORE  
1901 MAIN ST  
Columbia SC 29201

Number of Copies: 1

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising Clerk of the above indicated newspaper published in the City of Charleston, County and State aforesaid, who, being duly sworn, says that the advertisement of

(Copy attached)

appeared in the issues of said newspaper on the following day(s):

07/30/2005

at a cost of \$ 273.60  
Account# C0651380  
Order# C220W2G6  
P.O. Number: Acceris  
Subscribed and sworn to before  
me this 3rd day  
of August  
A.D. 2005

Advertising Clerk

NOTARY PUBLIC, SC  
My Commission expires

10/11/13

PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA

DOCKETING  
DEPARTMENT  
NOTICE OF FILING AND  
HEARING

DOCKET NO. 2005-189-C

Acceris Management and Acquisition, LLC ("ACCERIS" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission") for a Certificate of Public Convenience and Necessity to resell intrastate interexchange telecommunications services and for authority to acquire certain assets, including, but not limited to, the subscriber base of Acceris Communications Corporation ("ACC" or "Seller" and collectively with ACCERIS, "the Parties") and to grant such relief on an expedited basis to allow for the consummation of the transaction without undue delay. The Application was filed pursuant to S.C. Code Ann. §58-9-280, §58-9-310, and the rules and regulations of the Commission. Additionally, ACCERIS requests that the Commission regulate its long distance business services, consumer card services, private line services, and operator assisted service offerings in accordance with the principles and procedures established for alternative regulations in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, as modified by Order No. 2001-997 in Docket No. 2000-407-C. Pursuant to an Asset Purchase Agreement, by and among ACCERIS, North Central Equity LLC (the Buyer's Guarantor), Acceris Communications, Incorporated, its wholly owned subsidiary ACC, and majority stockholder Counsel Corporation, ACC will sell, transfer, and otherwise convey, and ACCERIS will purchase and acquire the assets, and assume certain liabilities of ACC's telecommunications business. In the State of South Carolina, the acquired assets will include long distance customers; however, ACC has no local customers in the State of South Carolina.

A copy of the Application is on file in the offices of the Public Service Commission of South Carolina, 101 Executive Center Drive, Columbia, South Carolina 29210, and the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

**PLEASE TAKE NOTICE** a hearing on the above matter has been scheduled to begin at **10:00 a.m. on Monday, October 24, 2005**, before Hearing Examiner David Butler, Esquire in the Commission's Meeting Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in

COMMISSION OF  
SOUTH CAROLINA  
DOCKETING  
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Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before August 29, 2005, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2005-189-C.

Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department in writing at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and Bonnie D. Shealy, Esquire, at the above address in writing, on or before August 29, 2005, and indicate the amount of time required for his presentation. Please refer to Docket No. 2005-189-C.

Any person who wishes to be notified of any change in the hearing date, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department in writing at the address below on or before August 29, 2005. Please refer to Docket No. 2005-189-C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission by dialing (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211  
JUL-27-05 36045

My commission expires  
March 10, 2013

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of

The State

TH CAROLINA  
CHLAND

pared before me, Peggy Lawrence, Advertising Sales Support  
E STATE, and makes oath that the advertisement,

and Hearing – Docket 2005-189-C – Acceris Management and

THE STATE, a daily newspaper of general circulation published in  
mbia, State and County aforesaid, in the issues of

Peggy Lawrence

sworn to before me

August 3, 2005

E Harman

Notary Public

*"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."*